

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10468-GAO

ANTHONY BAYAD,
Plaintiff,

v.

JOHN CHAMBERS, PATRICIA RUSSO,
ANTHONY SAVASTANO, and CARL WIESE,
Defendants.

PENDING MOTIONS ORDER
October 25, 2004

O'TOOLE, D.J.

The Court makes the following orders on pending motions in this matter:

1. Avaya Inc.'s Motion to Quash Subpoena, docket no. 3, is GRANTED.
2. The Plaintiff's Motion of Request to Notify the Attorney General to Intervene as a Matter of District Court's Discretion, docket no. 4, is DENIED.
3. The Cisco Defendants' Motion to Stay Discovery and to Prevent Personal Service by the Plaintiff, docket no. 7, is GRANTED *nunc pro tunc*. The Court will schedule a discovery scheduling conference.
4. The Plaintiff's Motion to Compel Disclosure and for Appropriate Sanction According to Rule 37, docket no. 8, is DENIED. The Court will schedule a discovery scheduling conference.
5. Avaya Inc.'s Motion to Quash Plaintiff's Rule 45 Subpoena of April 6, 2004, docket no. 10, is GRANTED.

6. The Plaintiff's Motion Mandating Sanction/Default Against Defendants' Attorneys, docket no. 13, is DENIED.
7. Avaya Inc.'s Motion to Quash Plaintiff's Third Party Subpoena Duces Tecum, docket no. 14, is GRANTED.
8. Lucent Technologies Inc.'s Motion to Quash Plaintiff's Subpoena Duces Tecum, docket no. 15, is GRANTED.
9. The Plaintiff's Motion to Strike with Sanctions Cisco Defendants' Motion to Dismiss, docket no. 20, is DENIED.
10. The Plaintiff's Ex Parte Motion for Default Judgment, docket no. 21, is DENIED.
11. The Plaintiff's Motion of Final Default Judgment Decree on the Merits Against Defendant Patricia Russo, docket no. 24, is DENIED.
12. The Plaintiff's Motion for Default Judgment Forfeiture by Wrong Doing Against Chambers et al., docket no. 25, is DENIED.
13. The Plaintiff's Motion of Relief of Damages Sought Against Chambers et al., docket no 26, is DENIED.
14. The Motion for Leave to Withdraw as Attorney, docket no. 34, is GRANTED.
15. The Motion for Leave to Withdraw as Attorney, docket no. 40, is GRANTED.

It is SO ORDERED.

October 25, 2004
DATE

/s/ George A. O'Toole, Jr.
DISTRICT JUDGE